

REMARKS

Request for Reconsideration, Informal Matters, Claims Pending

The non-final Official action mailed on 23 January 2007 has been considered carefully. Reconsideration of the claimed invention in view of the amendments above and the discussion below is respectfully requested.

The specification has been amended grammatically and idiomatically. No new matter has been added.

Claims 1, 10 and 19 have each been amended to recite a "method" consistent with the dependent claims.

Claims 1 and 3-23 are pending.

Patentability of Claims Over Kalveram

Rejection Summary

Claims 1 and 5-7 are rejected under 35 U.S.C. 102(b) for anticipation by U.S. Publication No. 2001/0023184 (Kalveram).

Discussion

Claim 1 was amended to include limitations of Claim 2, now canceled. Kalveram fails to disclose or suggest the limitations of Amended Claim 1 and dependent Claims 5-7. Kalveram was not applied to the rejection of Claim 2.

Claims 3 and 5 formerly dependent from Claim 2 have been amended to depend directly from Claim 1. Claim 6 was amended to eliminate redundant limitations with amended Claim 1 and to indicate that a burst is received in a "subsequent" time frame of the incoming paging message if the results of comparing do not satisfy a specified requirement.

Patentability of Claims Over Patel & Inoue

Rejection Summary

Claims 1-2 and 5-7 are rejected under 35 U.S.C. 102(e) for anticipation by U.S. Patent No. 7,107,080 (Patel).

Claims 3-4 and 8-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patel and U.S. Publication No. 2003/0156551 (Inoue).

Claims 19-23 are rejected under 35 U.S.C. 102(e) for anticipation by U.S. Publication No. 2003/0156551 (Inoue).

Discussion

The subject application was filed on 8 August 2003 based on a priority EPC Application (Number 02292026.8) filed on 13 August 2002, for which the Commissioner granted a foreign filing license base on Applicants' 37 CFR 5.12 Petition of 5 August 2002.

In the instant application, Applicants unintentionally delayed the claim to priority to the earlier filed EPC application under 35 USC 119. Applicants have concurrently filed a Petition under 37 CFR. 1.55(c) to accept Applicants unintentionally delayed claim for priority.

BINZEL ET AL.
"Incoming Message Decoding in Wireless
Communications Devices And Methods Therefor"
Atty. Docket No. CS21165RL

Appl. No. 10/637,124
Confirm. No. 3836
Examiner N. Vo
Art Unit 2618

Based on Applicants' 37 CFR 1.55(c) petition, Applicants submit that the rejections based upon Patel and Inoue should be withdrawn since Applicants' 13 August 2002 priority date precedes the 16 June 2003 effective date of Patel and the 13 February 2003 effective date of Inoue. Applicants' assertion relative to the applicability of Patel and Inoue as prior art will be perfected upon the grant of Applicants' petition by the Office of Petitions.

Prayer For Relief

In view of any amendments and the discussion above, the Claims of the present application are in condition for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,

/ ROLAND K. BOWLER II /

ROLAND K. BOWLER II 30 APR. 2007
REG. NO. 33,477

MOTOROLA, INC.
INTELLECTUAL PROPERTY DEPT. (RKB)
600 NORTH U.S. HIGHWAY 45, W4-37Q
LIBERTYVILLE, ILLINOIS 60048

TELEPHONE NO. (847) 523-3978
FACSIMILE NO. (847) 523-2350